G R S App F IX 4]

194 8-

File No 9-8, 48

Previous References
143-46 (3 Ls) (HLR)

Serial Nos 28, 29

Later References
~~Pol/B dep no~~ 60/53

GENERAL AND REVENUE SECRETARIAT

Serial Nos
Two

f-22-C

Part B for Aug. 49

SUBJECT
Taking over certain portions of land Belonging to M/s B.K. Subbanarasem in S.No 28 of Halemathalli village

To attached - R Dis No 1951/RL 28-68-29 dt 16-8-49

Seen

CO

8130/Land A F P

General and Revenue Secretariat | File No | of 194

Serial No

1

Letter No 5581/48-49 of 16-4-49 from the chairman C & T Board, Bombay, requesting Government to accept the offer made by M/s Subbiah & Sons, for 3 acres of land in the Valasaravakkam Village Ramapuram

1) submitted with a draft letter calling for information as to the amount of award passed in respect of other lands acquired in this area

2) Appeal time has lapsed on 18/5

18/5

To,

The chairman, B T Bd

Lr 13332 dt 14/5/49

Calls for certain information

for 14/5

Letter No 6581/48-49 dt 18/5/49 from the chairman, C & T Board, Bombay.

Encloses letter dt 25/5/49

—Cover Sheet

Serial No

from the same officer

3) submitted with a note on the matter —

This relates to the proposal of the Bangalore City Improvement Trust Board to accept the offer made by M/s Subbaiah & Sons of two plots of land measuring about 32 guntas and 5 guntas in S No 26 of Kalenahalli Village (near Kumaran Park west extension) subject to the conditions specified in the Trust Board's resolution, noted under paragraph 4 of the chairman's report dt 16/4/48 | flg B

4) A part of the property in to the extent of 16 guntas of the said plots under reference is also being acquired, as per Notification dt 26-4-47 sanctioning the acquisition of properties in the area, required for the formation of the Kumaran Park west extension | flg D

Serial No

flg c

5) As seen from the report of 18/5/49 of the chairman, only in one case, award has been passed in respect of the first scheme, the acquisition of which was sanctioned vide para 4 above and the rate of compensation awarded in that particular case is ~~Rs~~ Rs one per sqr yard, treating the land as agricultural land although the ~~land~~ the party is said to have claimed Rs 32/- per sqr yard. Hence, the average rate of compensation to be fixed in this area, cannot be calculated now, as the matter is still undecided

6) The chairman says that though the lands required for the scheme (belonging to M/s Subhal & sons) are secured by an agreement, it will have to be regularised by taking acquisition proceedings in due course to get an indefeasible right over them

para 5 of the report of 18-5-49 — flg c

7) In the above circumstances

NOTE—Cont'n Sheet

8130 - Accepting the offer made by
8929 - Subhash to some of the land
File No 912/ml in Kumara P of 194 -

General and Revenue Secretariat

Serial No

the Advocate general may be consulted - whether it is desirable to accept the offer of land subject to the conditions specified in the Board's resolution & then have the lands acquired as referred to in para 6 thereof or whether the lands may be got acquired under for all - without entering into any agreement with the party and which of the two is more advantageous & submitted for orders

x Vide para 4 of the report flag B

hm -

27/5/49) The recommendation does not appear to be quite clear. The Board's resolution of 28-3-49 in the matter does not contemplate the taking up of acquisition proceedings but refers to leasing from acquiring certain lands belonging to the firm in exchange for their letting the Town Board have the use of some bits of the firm's land for the purposes of a road and a storm water drain If according to the Chairman's recommendation of 18-5-49 (Flag C) / acquisition proceedings

8130 √8929
Rel √
90/2

Serial No

are taken, the firm will get a proper compensation for the land taken by the Trust Board and the concession contemplated in the Board's resolution need not be made to the firm

Bo-28-5-45 10) Further particulars may be called for, to clarify the above points

mm

Sen 28/5/45

11) Submitted with a draft letter

Ma 8/6/45

Bo 9-6-45

12) Approved

Sen 11/6/45

To,

The Chairman,
'B T B'

L 14423 dt 16/6/45 calls for further particulars

Sen A
Ma 24/6

>< Letter No. J 711/48-45 dt 20-6-45 from the Chairman of the Bangalore Engg. Improvement

NOTE—Contn Sheet

Taking over of land belonging to Sri Subbiah & Sons in

File No 2 9782/41 Kumarapalayam part of 194

General and Revenue Secretariat

Serial No

Trust Board in the matter -

13) The report now received is submitted for perusal with reference to para 10 supra

14) The Chairman in his reasons stated in his letter now received says that it is desirable to take possession of the land belonging to Sri Subbiah & Sons by entering into an agreement

15) It is for orders whether the proposal of the chairman may be approved or whether instructions may be issued to have the land acquired. A detailed note is put up at paras 3 to 9 supra.

16) The facts of the case are noted at para 3 to 7 supra

In the circumstances stated, the resolution of the Board dated 28 3 48 - referred to

9782/ Talking over land belonging to M/s Parekh & Co. Ltd. Subbaiah & Sons in the Kumara Park B — may be approved

In order to get an indefeasible title the Lands may be acquired formally under the provisions of the Land Acquisition Act

may be approved

6/7/49

Secretary

5/7/49

19) 6/7/49

Minister Finance & Industries

JLC 7/8/49

Dft reply attached

10/8/49

OFFICE OF THE [illegible] FOR FINANCE MINISTRIES
No 147
Date 7 7 49

SECRETARIAT TO GOVT OF MYSORE
Dated 7/7/49
GENERAL DEPARTMENTS

SECRETARIAT TO GOVT OF MYSORE
Dated 7/7/49
GENERAL DEPARTMENTS

submitted with a draft letter

Ma 10/8

Dft

11/8/49

To The Chairman EDC B'lore

No L 1951 | RE28-48-49
dt 16-8-49

Approved

B 16/8

No G 584/48-49

OFFICE OF THE CHAIRMAN,
City Improvement Trust Board,
Dated, Bangalore, the 16th April 1949

To

The Secretary to Government,
General Department,
Bangalore

Sir,

Adverting to G O No L 12617-23/M1 142-46-2 dated the 15th March 1947 sanctioning the formation of the Kumara Park West Extension at an estimated cost of Rs 3,00,000/-, I have the honour to state that steps were taken to acquire the lands required for the formation of the Extension as per G O No L 14971/M1 143-46-4 dated 26th April 1947 including among others, 16 guntas of land in S No 26 of Malenahalli village belonging to Messrs B K Subbiah & Sons

2 During the course of execution of the work it was found that ~~apart from~~ inclusive of 16 guntas notified, ~~a further~~ extent of nearly 32 guntas consisting of two ~~small~~ plots of 30 1/4 guntas and 1 11/16 guntas as also an extent of about 5 guntas in the same S No 26 of Malenahalli village were required for running ~~a~~ the road and to put up a storm water drain as part of the above Extension

3 Sri B V Seetharamiah, Proprietor, B K Subbiah & Sons expressed his willingness to surrender to the Board all the three bits of lands referred to above for the purposes of the scheme, subject to certain conditions

4 This was placed before the Board at its meeting held on 28th March 1949 and the Board after examining the question in detail have resolved -

"That the request of the applicant be granted subject to the conditions proposed below "

A

(1) That Messrs B K Subbiah & Sons do surrender to the Board without claiming any compensation on 30 1/4 and 1 11/16 guntas more or less in S No 26 for the Board running its road in Kumara Park West Extension

(2) They also do surrender an area of 5 guntas for the purpose of the Trust Board running a storm water drain across S No 26 to meet the Seshadripuram Main Road

(3) If at any time this drain should be discontinued, the land over which the drain runs, should be given back to Messrs B K Subbiah & Sons or their successors in title

(4) Messrs B K Subbiah & Sons will also be permitted to use his drain for the effective drainage of their land by letting into it storm water or waste water but not sewage or sullage

(5) That the Board agrees to allow Messrs B K Subbiah & Sons to remove the earth free of charge not required by the Board obtained by excavation for forming the drain and road out of the Survey Number

(6) That Messrs B K Subbiah & Sons may construct two passages across the drain, so that they can cross from one portion to the other at such spots as may be selected by the Engineer Officer of the Trust Board

(7) The drain would otherwise be kept open and no buildings thereon could be permitted

(8) That Messrs B K Subbiah & Sons will be free to use their remaining land to their best advantage and the Board agrees not to acquire any land in S No 26 belonging to them to the west of the proposed road and abutting their land in S No 26 and Board further agrees to grant to them such portions of the land remaining abutting S No 26 belonging to B.K Subbiah & Sons to the west of the road after the road is formed by the Board

5 The resolution of the Board was communicated to Sri B V Seetharamiah on 8th April 1949 who was asked to x intimate if he was agreeable to the above proposals He has stated in reply in his letter No 127/49 dated 12th April 1949, that he is agreeable to accept the proposals contained in this office letter of 8th April 1949 and has asked me to obtain necessary sanction of Government in the matter

6 As Sri B V Seetharamiah is prepared to surrender the lands required without claiming any compensation from the Board, I think that the offer made by him may be accepted with advantage

(Continued)

I request that in the circumstances, early orders of Government may kindly be obtained and communicated to accept the offer as per resolutions of the Board. The road work has been almost Completed, except for the last which is absolutely necessary for laying the road.

Yours faithfully,

C V Narayana Rao

CHAIRMAN,
C I Trust Board

KRR/-3-

NO.G 657/48-49

OFFICE OF THE CHAIRMAN,
City Improvement Trust Board,
194

SECRETARIAT

43332
14/5/49

To,

The chairman, C I T
Board, Bangalore

Sir,

With reference to your letter No J 581/48-49 dt 16-4-49 re accepting the offer made by M/s S K Subbiah & sons of their land in the Halemahalla Village, I am directed to request you to intimate immediately the amount of award passed for area in respect of the other lands acquired in that area

Yours faithfully
for 10/5/49
Secretary

NO G 657/48-49

OFFICE OF THE CHAIRMAN,
City Improvement Trust Board,
Bangalore, Dated, the 18th May 1949

To

The Secretary to Government,
General Department,
Bangalore

Sir,

SUBJECT Acquisition of land belonging to Messrs B K Subbiah & Sons in Halenahalli village required for Kumara Park West Extension

---

With reference to your letter No L 13332 dated 14-5-1949 asking me to intimate the amount of award passed per acre in respect of the other lands acquired in this area, I have the honour to state that the Special Land Acquisition Officer attached to the Board reports that there is only one other case in the series in which an award has been passed and that this relates to the property of Raja of Venkatagiri which adjoins the property of M/s B K Subbiah & Sons at the rear In this case, award at Re.1/- per square yard is reported to have been passed treating the land as agricultural land with potential value as against a claim of Rs 32/- per square yard by the awardee It is further reported that this award is under appeal in the District Court, Bangalore

2 The Special Land Acquisition Officer further reports that in the two remaining cases of the series a claim has been received so far in only one case in which the claimant is one Sri C Chakravarthy who has valued the land at Rs 20/- per square yard and that no award is passed as yet in this case as certain particulars are awaited from the Engineer Officer of the Board A copy of the Special Land Acquisition Officer's report is herein enclosed for favour of reference

3 I may add in this connection that M/s B K Subbiah & Sons agree to the acquisition of land right across their present factory

premises which divides their land into two bits and but for this ~~xkx~~ agreement perhaps damages for loss by severence would have had to be paid

3 Our main storm water drain has got to be taken and completed before the monsoon else it will flood the entire area

4 In the circumstances, I request that early orders of Government may kindly be obtained to accept the offer made by M/s B K Subbiah & Sons as per resolutions of the Board dated 28-3-1949 communicated in this office letter No G 581/-48-49 dated 16th April 1949

5 Though the lands required for the scheme is secured by an agreement, in this case, it will however be regularised by taking ~~regular~~ acquisition proceedings in due course to get an indefeasible right over the land

Yours faithfully,

CHAIRMAN

HR KRR/-

18/5

Special Land Acquisition Officer's Note dated 17th May 1949

There is only one other case in this series in which an award has been passed This relates to the property of the Raja of Venkatagiri - which adjoins that of Messrs B K Subbiah & Sons at the rear In that case, compensation has been awarded at Re 1/- per sq yard - treating the land as agricultural land with potential value - as against a claim of Rs 32/- per sq yard This award, however, is under appeal in the District Court, Bangalore

In the two remaining cases of the series, a claim has been received so far in only one case The claimant in that case (Sri C Chakravarthy) has valued the land at Rs 20/- per sq yard No award is passed as yet in this case as certain particulars are awaited from the Engineer Officer, City Improvement Trust Board, Bangalore

---

"Copy"

KRR/-

CHAIRMAN

9012/III
27/5

Office of the City Improvement Trust Board,
"Ranga Vilas", Seshadri Road,
Dated, Bangalore, the 24th May 1949

To

The Secretary to Government,
General Department, Bangalore

Sir,

I have the honour to invite kind reference to this office letter No G 581/48-49 dated the 16th April 1949 and subsequent letter No 651/48-49 dated 18-5-49 requesting orders of Government in the matter of acceptance ~~of the letter of acceptance~~ of the offer made by Messrs B K Subbiah and Sons to surrender some of his land in S No 26 of Malenahalli village required for Kumara Park West Extension Scheme subject to certain conditions specified in this office letter dated the 16th April 1949 and to request you to kindly obtain and communicate the orders of Government in the matter very early

2 As the Proprietor of M/s B K Subbiah & Son has represented in his letter of today (copy enclosed) that the work of completing the drainage in their compound is stopped for the last two months and since the rainy season has commenced, it would flood the whole area, damaging their premises and machinery etc , if the work is not completed and requested to expedite the work and complete the drainage

3 ~~Unless~~ Orders of Government may be obtained immediately as otherwise and communicated, the work in question cannot be pushed through I therefore request the favour of very early orders of Government in the matter

Yours faithfully,

C/r Narasinga Rao

CHAIRMAN

HR/gvm

Letter No 181/49 dated 24th May 1949 from Messrs B K Subbiyah & Sons, Bangalore, to the Chairman, ıty Improvement Trust Board, Bangalore

---

We wish to bring to your kind notice that since last two months the work of completing the drainage running in our compound is stopped and as the rainy season has commenced, the drainage left as it is to-day would flood the whole area, which will damage our premises, machineries etc , And as such we request you to hurry up the work and complete the drainage without any further delay The loss would be irrecoverable if the drainage is left as it is/without completion

Thanking you for an early action in the matter

"COPY"

KRR/-

G V Narasimha Rao
CHAIRMAN

C No

Ref on Pet No 19 [illegible] 19 [illegible]

App No

Dis No

Enclosure

Dated

Approved on

Copied on by

Examined on by

Signed on

Despatched on

Entered in—

Current
Petition
Appeal
} Register on
By

Periodical

Reminded on

DRAFT

D 14423.
16/6/49

To

The Chairman

Docket Abstract

Sir

[illegible] the enclosure [illegible] with your letter No [illegible] 667/Lic-45 dt. 24-5-49 [illegible] the application [illegible] of the Officer made by M/s S K Sub-Brahmanya [illegible] of this Taluk in S No 269 of Kalamallu Village, I am directed to state as follows.

[illegible] 243/49 in the matter

does not contemplate the taking of
of acquisition proceedings, but refers
to dissuading firms acquiring certain
Canvas holdings to the firm
in exchange for them letting the
Board have the use of some bits
of the firm's land for the purposes
of a road & a storm water drain
of according to the recommendation
made your letter of 18-5-45, acquisition
proceedings are taken the firm will
get a proper compensation for the land

contemplated in the Board's resolution
of 2/3/45 need not be made to the
firm
on the light of the above observations
I am to request you to intimate whether
is not desirable to have the lands of
the firm acquired once for all instead of
taking over them by entering into an agreement
as contemplated in the Board's resolution
made to get an indefeasible right
over the property

Yours faithfully

By order

G.711/48-9

28-48-28

OFFICE OF THE CHAIRMAN,
City Improvement Trust Board,
Dated, Bangalore, the 20th June 1949

SECRETARY TO GOVERNMENT
Date 22/6
GENERAL DEPARTMENT

GENERAL & REVENUE SECRETARIAT
9782
25 JUN 1949

The Secretary to Government,
General Department,
Bangalore

Sir,

SUBJECT - Taking over of about one acre of land in S No 26 belonging to M/s B K Subbiah & Sons

With reference to your letter No L 14423 dated 16-6-1949 with regard to the offer made by Messrs B K Subbiah & Sons of portions of their land to the Trust Board for running a storm water drain and road in the Kumara Park West Extension, I have the honour to state that the land which is offered to be surrendered by Messrs B K Subbiah & Sons is very valuable and also very necessary for the Board

2 It is a matter of acquisition, the amount of compensation for the land, a stone rivetted well, will be fairly heavy Further since the land required for running the drain will adversely cut up their land into two bits, they would be entitled to claim compensation for such severence of their property

3 Moreover, the concessions offered to them are not such as to materially affect their position very much

4 The Board felt very much in passing the resolutions that the advantages in the acceptance of this offer was very much more on the side of the Board rather than on the side of Messrs B K Subbiah and Sons

5 I have agreed that the area agreed to be surrendered by Messrs B K Subbiah and Sons may be finally acquired by the Board under the Land Acquisition Act, so that the Board may get an

indefeasible right over the property and the other terms may be embodied in the form of an agreement between the Board and Messrs B F Subaiah and Sons

6 I may add in this connection that the monsoons will be breaking and enormous loss will occur if the drain work not taken up

7 Orders may therefore be kindly obtained immediately agreeing to the above terms and direct that the land may be formally acquired also

Yours faithfully,

CHAIRMAN,
C I. Trust Board

KRR/-3-

C No
Ref on Pet No } 19 —19
App No

Dis No

Enclosure

Dated

Approved on

Copied on by

Examined on by

Signed on

Despatched on

Entered in—

Current
Petition
Appeal
} Register on
By

Periodical

Reminded on

No L 1951 Dt 16-8-49

DRAFT

To

The Chairman, C D T
Board, Bangalore

Docket Abstract

Sir

With reference to the correspondence ending with your letter No G 711/Lds-49 dt 20/6/49 on the above subject I am directed to convey the approval of govt to accept the offer of M/s Subbiah & Sons, in respect of their property in question, subject to the existing

specified by the Board in
their resolution passed at
the meeting held on 28/3/49 on
the subject

- In order to get an indefeasible
title, the land may also
be acquired formally under
the provisions of the L A Act

yours faithfully
[signature]
Secretary
10-3-49

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L 1951 | ml 28-48-29 General and Revenue Secretariat

Dated Bangalore, 16-8-1949

FROM

The Secretary to the Government of
His Highness the Maharaja of Mysore
General Department
Bangalore

To

The Chairman,
City Improvement Trust Board,
Bangalore

SIR

SUBJECT Taking over certain portions of the land belonging to Messrs B K Subbiah & Sons in S No 26 of Malenahalli village

---

With reference to the correspondence ending with your letter No G 711/48-49 dated 20th June 1949 on the above subject, I am directed to convey the approval of Government to accept the offer of Messrs Subbiah and Sons, in respect of their property in question, subject to the conditic specified by the Board in their resolution passed at the meeting held on 28th March 1949 on the subject

In order to get an indefeasible title, the land may also be acquired formally under the provisions of the Land Acquisition Act

Yours faithfully,

General Secretary to Government